

**Changes to legislation:** There are currently no known outstanding effects for the Finance Act 1996, Cross Heading: The Taxes Act 1988. (See end of Document for details)

## SCHEDULES

### SCHEDULE 20

#### SELF-ASSESSMENT: DISCRETIONS EXERCISABLE BY THE BOARD ETC.

##### *The Taxes Act 1988*

1 In section 24(2) of the Taxes Act 1988 (presumption as to sums being paid by way of premium unless the contrary is shown) for “is” there shall be substituted “can be”.

F12 .....

##### Textual Amendments

F1 Sch. 20 para. 2 repealed (with effect in accordance with s. 1329(1) of the amending Act) by [Corporation Tax Act 2009 \(c. 4\)](#), s. 1329(1), **Sch. 3 Pt. 1** (with [Sch. 2 Pts. 1, 2](#))

F23 .....

##### Textual Amendments

F2 Sch. 20 para. 3 repealed (6.4.2005) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\)](#), s. 883(1), **Sch. 3** (with [Sch. 2](#))

4 In section 74(1)(j) of the Taxes Act 1988 (Case I or II of Schedule D: no deduction in respect of debts), in sub-paragraph (i) (deduction allowed for a bad debt proved to be such) the words “proved to be such” shall cease to have effect.

F35 .....

##### Textual Amendments

F3 Sch. 20 para. 5 repealed (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), **Sch. 3 Pt. 1** (with [Sch. 2](#))

F46 .....

##### Textual Amendments

F4 Sch. 20 paras. 6-10 repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, **Sch. 8 Pt. 1** (with [Sch. 7](#))

F47 .....

*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1996, Cross Heading: The Taxes Act 1988. (See end of Document for details)*

**Textual Amendments**

**F4** Sch. 20 paras. 6-10 repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, **Sch. 8 Pt. 1** (with Sch. 7)

F48 .....

**Textual Amendments**

**F4** Sch. 20 paras. 6-10 repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, **Sch. 8 Pt. 1** (with Sch. 7)

F49 .....

**Textual Amendments**

**F4** Sch. 20 paras. 6-10 repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, **Sch. 8 Pt. 1** (with Sch. 7)

F410 .....

**Textual Amendments**

**F4** Sch. 20 paras. 6-10 repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, **Sch. 8 Pt. 1** (with Sch. 7)

11 In section 186(10) of the Taxes Act 1988 (value of the proceeds of certain disposals)  
—  
(a) for paragraph (b) there shall be substituted the following paragraph—  
“**(b)** any other disposal falling within that subsection is not at arm’s length,”; and  
(b) in paragraph (c) for “that sub-paragraph” there shall be substituted “ that subsection ”.

F512 .....

**Textual Amendments**

**F5** Sch. 20 para. 12 repealed (6.4.2005) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\)](#), s. 883(1), **Sch. 3** (with Sch. 2)

13 In section 257 of the Taxes Act 1988 (personal allowance)—  
(a) in subsection (2) (claimant entitled to deduction if he proves that he is 65 or over), and  
(b) in subsection (3) (claimant entitled to deduction if he proves that he is 75 or over),  
the words “proves that he” shall cease to have effect.

14 (1) Section 257A of the Taxes Act 1988 (married couple’s allowance) shall be amended in accordance with the following provisions of this paragraph.

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[<sup>F6</sup>(2) In subsection (1) (claimant entitled to reduction if he proves that he is a married man whose wife is living with him) for the words from the beginning to “he is” there shall be substituted “ If the claimant is, for the whole or any part of the year of assessment, ”.]

<sup>F7</sup>(3) .....

**Textual Amendments**

- F6** Sch. 20 para. 14(2) repealed (27.7.1999 with effect as mentioned in Sch. 20 Pt. III(3), Note 2 of the amending Act) by 1999 c. 16, s. 139, **Sch. 20 Pt. III(3)**
- F7** Sch. 20 para. 14(3) omitted (with effect in accordance with Sch. 1 para. 7 of the amending Act) by virtue of Finance Act 2009 (c. 10), **Sch. 1 para. 6(g)**

[<sup>F8</sup>15 In section 257E(1) of the Taxes Act 1988 (claimant entitled to relief if his wife lives with him and he proves that for the year 1989-90 he was entitled as described in paragraph (a) or (b))—

(a) the words “he proves” shall cease to have effect; and

(b) the word “that”, in the first and third places where it occurs in each of paragraphs (a) and (b), shall cease to have effect.]

**Textual Amendments**

- F8** Sch. 20 para. 15 repealed (27.7.1999 with effect as mentioned in Sch. 20 Pt. III(3), Note 2 of the amending Act) by 1999 c. 16, s. 139, **Sch. 20 Pt. III(3)**

[<sup>F9</sup>16 (1) Section 257F of the Taxes Act 1988 (transitional relief: effect of preceding sections where claimant who does not live with his wife proves that paragraphs (a) to (c) apply) shall be amended in accordance with the following provisions of this paragraph.

(2) The words “the claimant proves” shall cease to have effect.

(3) In paragraph (a)—

(a) for “that he” there shall be substituted “ the claimant ”; and

(b) the word “that” in the second place where it occurs shall cease to have effect.

(4) In paragraph (b) the word “that” in the first place where it occurs shall cease to have effect.

(5) In paragraph (c) the word “that” in the first and third places where it occurs shall cease to have effect.]

**Textual Amendments**

- F9** Sch. 20 para. 16 repealed (27.7.1999 with effect as mentioned in Sch. 20 Pt. III(3), Note 2 of the amending Act) by 1999 c. 16, s. 139, **Sch. 20 Pt. III(3)**

[<sup>F10</sup>17 (1) Section 259 of the Taxes Act 1988 (additional relief in respect of children) shall be amended in accordance with the following provisions of this paragraph.

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- (2) In subsection (2) (claimant entitled to reduction if he proves that a qualifying child is resident with him) for the words from “if the claimant” to “he shall be entitled” there shall be substituted
  - (a) the claimant is a person to whom this section applies, and
  - (b) a qualifying child is resident with him for the whole or a part of a year of assessment,

the claimant shall be entitled ”.

- (3) In subsection (6) (circumstances in which the reference in subsection (5) to a child receiving full-time instruction includes a child undergoing training for a trade, profession or vocation) the second paragraph (inspector’s power to require particulars of training) shall cease to have effect.]

**Textual Amendments**

**F10** Sch. 20 para. 17 repealed (27.7.1999 with effect as mentioned in Sch. 20 Pt. III(4), Note of the amending Act) by 1999 c. 16, s. 139, **Sch. 20 Pt. III(4)**

- [<sup>F11</sup>18 In section 261A(1) of the Taxes Act 1988 (person who proves that a qualifying child is resident with him in the year in which he and his wife separate is entitled to relief) for “who proves that a qualifying child is resident with him” there shall be substituted “ with whom a qualifying child is resident ”.]

**Textual Amendments**

**F11** Sch. 20 para. 18 repealed (27.7.1999 with effect as mentioned in Sch. 20 Pt. III(4), Note of the amending Act) by 1999 c. 16, s. 139, **Sch. 20 Pt. III(4)**

- 19 In section 265(1) of the Taxes Act 1988 (claimant entitled to blind person’s allowance if he proves that he is a registered blind person) the words “proves that he” shall cease to have effect.
- 20 In section 274(4) of the Taxes Act 1988 (effect of war insurance premiums on the limit on relief under section 266 or 273) in the second paragraph (definition of war insurance premiums: to include any part of any premium paid in respect of a life insurance policy which appears to the inspector to be attributable to risks arising from war or war service abroad) for “appears to the inspector to be” there shall be substituted “ is ”.
- 21 In section 278(2) of the Taxes Act 1988 (bar on relief for non-residents not to apply to an individual who satisfies the Board that he or she is a Commonwealth citizen etc) the words “satisfies the Board that he or she” shall cease to have effect.

<sup>F12</sup>22 .....

**Textual Amendments**

**F12** Sch. 20 para. 22 repealed (6.4.2007) by **Income Tax Act 2007 (c. 3), s. 1034(1), Sch. 3 Pt. 2** (with Sch. 2)

<sup>F13</sup>23 .....

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**Textual Amendments**

**F13** Sch. 20 para. 23 repealed (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), **Sch. 3 Pt. 2** (with [Sch. 2](#))

24 In section 381(4) of the Taxes Act 1988 (no relief unless it is shown that trade was on a commercial basis) the words “it is shown that” shall cease to have effect.

25 (1) In section 384 of the Taxes Act 1988 (restrictions on right of set-off) in subsection (1) (no relief unless it is shown that trade was on a commercial basis and with a view to the realisation of profits) the words “it is shown that” shall cease to have effect.

<sup>F14</sup>(2) . . . . .

**Textual Amendments**

**F14** Sch. 20 para. 25(2) repealed (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), **Sch. 3 Pt. 1** (with [Sch. 2](#))

<sup>F15</sup>26 . . . . .

**Textual Amendments**

**F15** Sch. 20 paras. 26-29 repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), **Sch. 3 Pt. 1** (with [Sch. 2](#))

<sup>F15</sup>27 . . . . .

**Textual Amendments**

**F15** Sch. 20 paras. 26-29 repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), **Sch. 3 Pt. 1** (with [Sch. 2](#))

<sup>F15</sup>28 . . . . .

**Textual Amendments**

**F15** Sch. 20 paras. 26-29 repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), **Sch. 3 Pt. 1** (with [Sch. 2](#))

<sup>F15</sup>29 . . . . .

**Textual Amendments**

**F15** Sch. 20 paras. 26-29 repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), **Sch. 3 Pt. 1** (with [Sch. 2](#))

<sup>F16</sup>30 In section 503(6) of the Taxes Act 1988 (apportionments where a letting relates only in part to holiday accommodation) for “appear to the inspector, or on appeal the Commissioners, to be” there shall be substituted “are ”.]

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**Textual Amendments**

**F16** Sch. 20 para. 30 repealed (31.7.1998 with effect as mentioned in s. 38(2)(3) of the amending Act) by 1998 c. 36, s. 165, **Sch. 27 Pt. III(4)**, Note

- 31 In section 570(2) of the Taxes Act 1988 (schemes for rationalizing industry: treatment of certain payments made under such schemes)—
  - (a) the words “on a claim it is shown in accordance with the provisions of Part II of Schedule 21 that” shall cease to have effect;
  - (b) after “the Tax Acts” there shall be inserted “ and a claim is made to that effect, ”;
  - (c) for “that Schedule”, where those words first occur, there shall be substituted “ Schedule 21 ”; and
  - (d) at the end there shall be added—
 

“and paragraph 6 of that Schedule applies for the purposes of this subsection as it applies for the purposes of that Schedule.”

- 32 In section 582(2)(b) of the Taxes Act 1988 (cases where retention of funding bonds is impracticable)—
  - (a) the words “the Board are satisfied that” shall cease to have effect; and
  - <sup>F17</sup>(b) .....

**Textual Amendments**

**F17** Sch. 20 para. 32(b) repealed (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), **Sch. 3 Pt. 1** (with [Sch. 2](#))

<sup>F18</sup>33 .....

**Textual Amendments**

**F18** Sch. 20 para. 33 repealed (with effect in accordance with s. 1329(1) of the amending Act) by [Corporation Tax Act 2009 \(c. 4\)](#), s. 1329(1), **Sch. 3 Pt. 1** (with [Sch. 2 Pts. 1, 2](#))

<sup>F19</sup>34 .....

**Textual Amendments**

**F19** Sch. 20 para. 34 repealed (6.4.2005) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\)](#), s. 883(1), **Sch. 3** (with [Sch. 2](#))

<sup>F20</sup>35 .....

**Textual Amendments**

**F20** Sch. 20 para. 35 repealed (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), **Sch. 3 Pt. 1** (with [Sch. 2](#))

<sup>F21</sup>36 .....

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**Textual Amendments**

**F21** Sch. 20 para. 36 omitted (with effect in accordance with s. 66(8) of the amending Act) by virtue of Finance Act 2008 (c. 9), **s. 66(4)(g)(i)**

**F22**37 .....

**Textual Amendments**

**F22** Sch. 20 para. 37 repealed (with effect in accordance with s. 1184(1) of the amending Act) by Corporation Tax Act 2010 (c. 4), s. 1184(1), **Sch. 3 Pt. 1** (with Sch. 2)

**F23**38 .....

**Textual Amendments**

**F23** Sch. 20 para. 38 repealed (31.1.2013) by Statute Law (Repeals) Act 2013 (c. 2), s. 3(2), **Sch. 1 Pt. 10** Group 1

**F24**39 .....

**Textual Amendments**

**F24** Sch. 20 para. 39 repealed (with effect in accordance with s. 381(1) of the amending Act) by Taxation (International and Other Provisions) Act 2010 (c. 8), s. 381(1), **Sch. 10 Pt. 1** (with Sch. 9 paras. 1-9, 22)

**F25**40 .....

**Textual Amendments**

**F25** Sch. 20 para. 40 repealed (28.7.2000 with effect as mentioned in s. 59 of the amending Act) by 2000 c. 17, s. 156, **Sch. 40 Pt. II(3)** Note

**F26**41 .....

**Textual Amendments**

**F26** Sch. 20 para. 41 repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by Income Tax (Earnings and Pensions) Act 2003 (c. 1), s. 723, **Sch. 8 Pt. 1** (with Sch. 7)

**F27**42 .....

**Textual Amendments**

**F27** Sch. 20 para. 42 repealed (with effect in accordance with s. 723(1)(a)(b) of the amending Act) by Income Tax (Earnings and Pensions) Act 2003 (c. 1), s. 723, **Sch. 8 Pt. 1** (with Sch. 7)

43 In Schedule 21 to the Taxes Act 1988 (tax relief in connection with schemes for rationalizing industry and other redundancy schemes), paragraph 3 (no relief in

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respect of payments under schemes unless certain amounts are shown) shall cease to have effect.



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